



EV 569810749

## REMARKS

### Status of the Application

Claims 1-15 are pending. Claims 1-14 are rejected. Claim 15 is allowed.

### Drawings

In response to the objection to the drawings, Applicants submit herewith a new drawing 1A (replacement Sheet 1/5) showing a lateral support 16' having a circular cross section as claimed in claim 13. New Figure 1A is supported in the specification as filed at paragraph 0024. ( Figure 1 is unchanged.)

Applicants also submit herewith Replacement Sheets 2/5 and 3/5. The change in sheet 2/5 is as follows:

- Element number 14 has been added to designate deck member 14 for better understanding.

The change in sheet 3/5 is as follows:

- Element number 24 has been deleted from the bottom of the figure because it was incorrect.

### Specification

As explained by Applicants' attorney during a telephone interview with the Examiner on June 30, 2005 the limitation (in claim 13) that the lateral supports have a circular cross-sectional profile is supported in the specification as filed at paragraph 0024.

### Section 112 Rejections

Claims 1 - 15 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. In particular, claim 1 is said to fail to recite sufficient structural elements and interconnection of the elements to positively position and define how the elongate supports

extend through a plurality of openings so that an integral structure able to function as claimed is recited.

Applicants respectfully disagree. As explained by Applicants' attorney during that June 30 interview, claim 1 recites three main elements. Including element numbering for convenience, they are:

- (1) a plurality of elongate runners 11, 13;
- (2) a substantially flat deck member 14; and
- (3) elongate lateral supports 16.

In order to provide sufficient interconnection of these three main elements, claim 1 further recites that the runners 11, 13 have tabs 18 extending above the runner top panels 21, 70, 72; that the tabs 18 have openings 18 disposed therein; that the flat deck member 14 has slits 24 disposed therein for receiving the tabs 18 so that the deck member can be positioned adjacent the runner top panels; and that the elongate lateral supports 16 extend through the tab openings 18.

Applicants submit that because of these limitations found in claim 1 the claim adequately recites sufficient structural elements and interconnection of those elements to positively position and define how the elongate supports 16 extend through a plurality of openings 18 so that an integral structure (pallet 10) is able to function as claimed. For this same reason Applicants submit that claims 2-15 also satisfy Section 112, second paragraph.

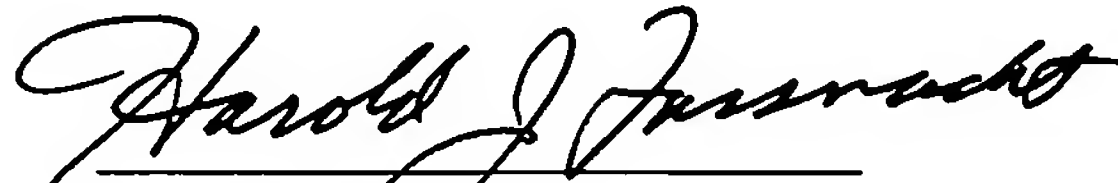
#### Allowable Subject Matter

Applicants note with appreciation that claim 15 is deemed allowable over the prior art of record.

Summary

It is believed that this paper constitutes a complete response to the Office Action mailed June 1, 2005, and an early and favorable action allowing claims 1-15 is respectfully requested. The Examiner is invited to telephone Applicant's undersigned attorney if any unresolved matters remain.

Respectfully submitted,



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